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Before the
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

WT Docket No. 96-198

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In the Matter of)
)
Implementation of Section 255 of the)
Telecommunications Act of 1996)
)
Access to Telecommunications Services,)
Telecommunications Equipment, and)
Customer Premises Equipment)
by Persons with Disabilities)

COMMENTS OF BELL ATLANTIC¹

The Commission is to be commended for taking action to carry out Congressional policy that telecommunications network equipment and services and customer premises equipment ("CPE") should be accessible to persons with disabilities.² Bell Atlantic fully concurs with this policy and will work with the Commission to help ensure that persons with disabilities receive the full benefits of new Information Age services.

Bell Atlantic is fully committed to making its telecommunications services and products accessible to individuals with disabilities. We are working to achieve this goal in a manner that does not deprive the remainder of the public of new services and products that they would otherwise enjoy, or unreasonably increase the price of those services. In that regard, the

¹ The Bell Atlantic telephone companies ("Bell Atlantic") are Bell Atlantic-Delaware, Inc.; Bell Atlantic-Maryland, Inc.; Bell Atlantic-New Jersey, Inc.; Bell Atlantic-Pennsylvania, Inc.; Bell Atlantic-Virginia, Inc.; Bell Atlantic-Washington, D.C., Inc.; and Bell Atlantic-West Virginia, Inc.

² *Notice of Inquiry*, FCC 96-382 (rel. Sept. 19, 1996).

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statutory goals are met if a range of comparable products and services are available that, in the aggregate, meet the needs of individuals with various types of disabilities.³ Bell Atlantic fully accepts the challenge to offer a full range of services and products that meet these needs.

Many telecommunications services and items of CPE that are available with features that make it easier for those with sight, hearing, or mobility disabilities to place or receive telephone calls also have wide-spread market acceptance. For example, Bell Atlantic has recently begun to offer voice-activated dialing throughout its region. This feature, which is marketed generally to all customers, makes it easier for those with sight or mobility disabilities to place telephone calls. Bell Atlantic will continue to strive to develop such services and products that meet its responsibilities under the Act in a manner that has broader customer acceptance as well. In this way, the cost of developing such services can be spread over a larger base of customers, reducing the price to all.⁴

It can be hoped that the enactment of Section 255 will encourage manufacturers and vendors to develop a broad array of services and products that are accessible to individuals with disabilities. The Commission should strongly encourage such development by issuing the interpretive guidelines discussed below, and by monitoring closely the success of such efforts. Only if manufacturers and vendors fail to meet their statutory responsibilities should the Commission step in, either on a case-by-case complaint basis to address individual problems,⁵ or

³ See 47 U.S.C. § 255(b) and (c).

⁴ Bell Atlantic will, of course, continue to develop specialized services that meet the targeted needs of persons with specific disabilities.

⁵ In addition to the provisions of Section 208, which are limited to complaints against common carriers, Section 255(d) and (f) permits members of the public to bring complaints against manufacturers and other non-carriers for failure to meet the requirements of that section.

through a general proceeding, should that prove necessary. At this time, however, there is no need for detailed regulations.

The Commission has, however, a critical immediate role under the Act in helping to ensure that the public is made aware of the statutory provisions and of the Commission's interpretation of the scope of those provisions. It can achieve this goal by continuing to work with the Architectural and Transportation Barriers Compliance Board ("Board") to jointly develop, publish, and widely disseminate the information package of guidelines specified in the statute.⁶ This package should summarize the provisions of the statute and contain, in a simplified format (such as questions and answers) a set of interpretive explanations of those provisions. Those interpretative guidelines may reasonably be relied upon by manufacturers and vendors in determining the best means of complying with the Act. In the event of a complaint, the Commission should be expected to use those published interpretations in determining if the statute has been violated. The Commission should also monitor the continued development of equipment and services, and, if necessary, take additional action should the needs of the disabled not be served.

By issuing guidelines rather than formal rules, the Commission can quickly adjust its interpretations to ensure that they meet Congressional purposes and take into account evolving technology. Any revised interpretations should have only prospective effect, with a reasonable time to comply, so as not to place at risk manufacturers and vendors that have complied with the prior guidelines.

⁶ These guidelines must be published within 18 months of enactment of the 1996 Act. *See* 47 U.S.C. § 255(e). Once developed, this package of guidelines should be widely publicized through the news media and over the Internet.

Accordingly, the Commission should not adopt detailed rules in this proceeding. Instead, it should adopt informal guidelines, in coordination with the Board, then address on a case-by-case basis specific deficiencies in the availability of services and products to persons with disabilities.

Respectfully submitted,

The Bell Atlantic Telephone
Companies

By Their Attorney

A handwritten signature in black ink, appearing to read "Lawrence W. Katz", is written over a horizontal line.

Lawrence W. Katz

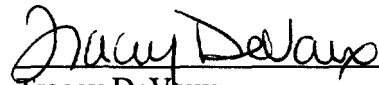
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October 28, 1996

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of October, 1996 a copy of the foregoing
"Comments of Bell Atlantic" was served on the parties on the attached list.


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